REMARKS/ARGUMENTS

Claims 1-25 are pending in this application.

Claims 1, 5, 6, 8, 9, 13, 15, 19, and 21 are currently amended. Applicants submit that support for the claim amendments and the newly added claims can be found throughout the specification and the drawings.

Claims 1-25 remain pending in the application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1, 3-8, 11-17, 19, 22, and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,838,252 to Kikinis (hereinafter "Kikinis"). Claims 2, 9, 10, 18, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikinis in view of U.S. Patent No. 6,549,612 to Gifford et al. (hereinafter "Gifford").

Claim Rejections Under 35 U.S. C. § 102(b)

Applicants respectfully traverse the rejections to claims 1, 3-8, 11-17, 19, 22, and 25 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b) based on Kikinis.

Applicants respectfully note that to anticipate a pending claim, a prior art reference must provide, either expressly or inherently, each and every limitation of the pending claim. (M.P.E.P. § 2131).

The Office Action alleges that Kikinis teaches or suggests all of the claim limitations of claims 1, 3-8, 11-17, 19, 22, and 25. However, based on the arguments presented below, Applicants respectfully submit that Kikinis fails to teach or suggest one or more of the claim limitations recited in each of claims 1, 3-8, 11-17, 19, 22, and 25.

Claim 1

Amended claim 1 recites a method for messaging with devices in order to determine one or more actions to perform, the method comprising:

storing information associated with a message, the stored information comprising action information corresponding to the one or more actions that enables applications to perform the one or more actions;

sending a message to a device, the message including a message identifier generated to uniquely identify the message and one or more action identifiers corresponding to the one or more actions;

receiving a response message from the device;

determining the message identifier from the received message;

determining an action identifier in the one or more action identifiers from the received message;

retrieving stored information associated the message using the message identifier received in the response message from the device;

determining action information in the stored information corresponding to an action in the one or more actions using the action identifier; and

performing the action using the action information.

As recited above, actions are performed using action information that is retrieve from storing information based on a message identifier that is generated to uniquely identify a message sent to a device. The message identifier recited in amended claim 1 is determined from the received message.

Applicants respectfully submit that Kikinis fails to teach or suggest each and every claim limitation recited in claim 1.

In the Office Action, it is alleged that Kikinis discloses the message identifier recited in claim 1. The Office Action allegedly equates the text "Stock A" included in the pager message of Kikinis with the message identifier recited in claim 1. However, Applicants respectfully submit that the text "Stock A" included in the pager message of Kikinis fails to teach or suggest the message identifier recited in claim 1. The text "Stock A" is merely message content, and is substantially different from a message identifier as recited in claim 1. Furthermore, amended claim 1 recites the message identifier is generated to uniquely identify the message to be send to the device. The text "Stock A" can be included in any page message

who's content is indicative of the A stock of Kikinis. Thus, the text "Stock A" of the page

messages in Kikinis is substantially different from the message identifier generated to uniquely

identify the message recited in claim 1.

       Accordingly, Applicants respectfully submit that Kikinis fails to teach or suggest

the feature recited in amended claim 1 of "sending a message to a device, the message including

a message identifier generated to uniquely identify the message and one or more action

identifiers corresponding to the one or more actions." Thus, Applicants respectfully submit that

amended claim 1 is allowable over Kikinis.

       Applicants respectfully submit that Kikinis additionally fails to teach or suggest

the feature recited in amended claim 1 of "determining the message identifier from the received

message." The Office Action fails to establish where Kikinis includes such a teaching. The

Office Action first equates the text "Stock A" with the message identifier recited in claim 1.

However, the Office Action appears to also equate the message identifier with the user.

       The Office Action alleges a broker receives a message identifying actions and the

user, which the Office Action interprets the user to be the message identifier. Information

identifying a user is substantially different from a message identifier as recited in claim 1.

Moreover, the user in Kikinis is not generated to uniquely identify the message as is recited in

claim 1. Moreover, the broker in Kikinis does not receive the response message from the device

as recited in the claims. Kikinis clearly discloses in FIG. 2 that the stock server forwards buy

requests to the dealer in line 215, and this the broker receives messages from the stock server.

       Accordingly, Applicants respectfully submit that Kikinis fails to teach or suggest

the feature recited in amended claim 1 of "determining the message identifier from the received

message." Thus, Applicants respectfully submit that amended claim 1 is allowable over Kikinis.

       Applicants further respectfully submit that Kikinis fails to teach or suggest the

feature recited in amended claim 1 of "retrieving stored information associated the message

using the message identifier received in the response message from the device."

       As discussed above, Kikinis fails to teach or suggest that a message identifier

generated to uniquely identify the message as recited in claim 1 is received in a response

message. Kikinis merely suggests that return buttons of the device are adapted for sending

specific incremental signals to the page server. (Kikinis: Col. 2, lines 1-5). However, the specific incremental signals of Kikinis are substantially different from the message identifier recited in amended claim 1. Furthermore, Kikinis merely discloses that the stock system recognizes the response from a selected return button, and initiates an associated preprogrammed message. (Kikinis: Col. 2, lines 54-55). Therefore, Kikinis fails to teach or suggest retrieving stored information associated the message using the message identifier received in the response message from the device as recited in claim 1.

Accordingly, Applicants respectfully submit that Kikinis fails to teach or suggest the feature recited in amended claim 1 of "retrieving stored information associated the message using the message identifier received in the response message from the device." Thus, Applicants respectfully submit that amended claim 1 is allowable over Kikinis.

Claims 2-25

Applicants respectfully submit that independent claims 8, 15, and 21 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. Applicants respectfully submit that dependent claims 2-7, 9-14, 16-20, and 22-25 that depend directly and/or indirectly from the independent claims 1, 8, 15, and 21 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Claim Rejections Under 35 U.S. C. § 103(a)

Applicants respectfully traverse the rejections to claims 2, 9, 10, 18, 23, and 24 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Kikinis in view of Gifford. Applicants respectfully submit that Kikinis and Gifford, either individually or in combination, fail to teach or suggest one or more of the claim limitations recited in each of claims 2, 9, 10, 18, 23, and 24.

As discussed above, Kikinis fails to teach or suggest each and every claim limitation recited in claims 1, 8, 15, and 21. Applicants further respectfully submit that Gifford

fails to cure the deficiencies of Kikinis, and that the combination of Kikinis and Gifford fails to teach or suggest each and every claim limitation recited in claim 1.

   For example, amended claim 1 recites retrieving stored information associated the message using the message identifier received in the response message from the device. As discussed above, Kikinis fails to teach or suggest this limitation. Gifford simply suggests that the system of Gifford determines which selection has been requested from an enriched e-mail. Gifford, however, fails to teach or suggest that stored information comprising action information corresponding to the one or more actions that enables applications to perform the one or more actions is retrieved using a message identifier generated to uniquely identify the message and which is received in a response message from a device as recited in amended claim 1.

   Thus, the combination of Kikinis and Gifford fail to teach or suggest each and every claim limitation recited in claim 1. Therefore, the claims are allowable over the cited referenes.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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